

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	8:06CR351
vs.)	
)	ORDER
CRAIG RUFFIN,)	
)	
Defendant.)	

This matter is before the court on the defendant's motion to continue the trial currently set for January 2, 2007. The trial order was entered on November 28, 2006 and motions for continuance were due back on December 7, 2006. This motion was filed nineteen (19) days late, and without the speedy trial waiver required by the Local Rules of Practice and the progression order entered in this case. The defendant requests a continuance of 30 days to conduct plea negotiations. The parties have already been given adequate time to conduct plea negotiations, and the court's calendar cannot accommodate the defendant's request.

IT IS ORDERED that the Motion for Continuance [28] is denied.

Pursuant to NECrimR 57.2, a party may appeal this order by filing a "Statement of Appeal of Magistrate Judge's Order" on or before the close of business on **Thursday, December 28, 2006**. The party shall specifically state the order or portion thereof appealed from and the basis of the appeal. The appealing party shall file contemporaneously with the statement of appeal a brief setting forth the party's arguments that the magistrate judge's order is clearly erroneous or contrary to law. The filing of a statement of appeal does not automatically stay the magistrate judge's order pending appeal. See NECrimR 57.2(d).

DATED December 26, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge